

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No. 143717)

John A. Morris (NY Bar No. 2405397)

Gregory V. Demo (NY Bar No. 5371992)

Hayley R. Winograd (NY Bar No. 5612569)

10100 Santa Monica Blvd., 13th Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

Email: jpomerantz@pszjlaw.com

jmorris@pszjlaw.com

gdemo@pszjlaw.com

hwinograd@pszjlaw.com

-and-

HAYWARD PLLC

Melissa S. Hayward (Texas Bar No. 24044908)

Zachery Z. Annable (Texas Bar No. 24053075)

10501 N. Central Expy., Ste. 106

Dallas, Texas 75231

Telephone: (972) 755-7100

Facsimile: (972) 755-7110

Email: MHayward@HaywardFirm.com

ZAnnable@HaywardFirm.com

Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

§
§
§
§
§
§

Chapter 11

Case No. 19-34054-sgj11

**APPELLEE'S SUPPLEMENTAL
DESIGNATION OF RECORD ON APPEAL**

¹ The Reorganized Debtor's last four digits of its taxpayer identification number are (8357). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

Highland Capital Management, L.P. (“Appellee” or “Reorganized Debtor”), pursuant to Rule 8009(a)(2) of the Federal Rules of Bankruptcy Procedure, hereby submits its supplemental designation of items to be included in the record in the appeal filed by Hunter Mountain Investment Trust (“Appellant”) from the *Order Extending Stay of Contested Matter [Docket No. 4000]* entered by the United States Bankruptcy Court for the Northern District of Texas on June 24, 2024 [Docket No. 4104] in the above-referenced bankruptcy proceeding (the “Bankruptcy Case”). Appellee respectfully reserves the right to supplement and/or amend the record on appeal designated herein.

I. Supplemental Items from the Docket in the Bankruptcy Case

Appellee designates the following additional items from the docket in the Bankruptcy Case, in addition to the items previously designated by Appellant:

<u>Date</u>	<u>Docket No.</u>	<u>Description</u>
Documents filed in Bankruptcy Case		
01/22/2021	1811	NOTICE (Debtor's Notice of Filing of Plan Supplement to the Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified) filed by Debtor Highland Capital Management, L.P. (RE: related document(s)1808 Chapter 11 plan). (Attachments: # 1 Exhibit Q # 2 Exhibit R # 3 Exhibit S # 4 Exhibit T # 5 Exhibit U # 6 Exhibit V # 7 Exhibit W # 8 Exhibit X # 9 Exhibit Y # 10 Exhibit Z # 11 Exhibit AA # 12 Exhibit BB # 13 Exhibit CC # 14 Exhibit DD)
02/01/2021	1875	Support/supplemental document (Debtor's Notice of Filing of Plan Supplement to the Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified)) filed by Debtor Highland Capital Management, L.P. (RE: related document(s)1808 Chapter 11 plan). (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit DD # 4 Exhibit EE # 5 Exhibit FF)
06/13/2023	3843	Transcript regarding Hearing Held 06/08/2023 Before Judge Stacey G.C. Jernigan (389 Pages) RE: Motion for Leave to File Verified Adversary Proceeding (3699)
01/24/2024	4030	Transcript regarding Hearing Held 01/24/2024 Before Judge Stacey G.C. Jernigan (83 Pages) RE: Motion for Bad Faith Finding (3851) and Motion to Stay (4013)

<u>Date</u>	<u>Docket No.</u>	<u>Description</u>
01/31/2024	4033	Order granting in part motion to stay contested matter (related document 4013) Entered on 1/31/2024. (Okafor, Marcey). Related document(s) 4000 Motion for leave to File a Delaware Complaint filed by Creditor Hunter Mountain Investment Trust. Modified to add linkage on 2/20/2024 (Ecker, C.)

II. Items from the Docket in Bankruptcy Court Adversary Proceeding No. 23-03038-sgj

Appellee designates the following additional items from the docket in the above-referenced adversary proceeding filed in the United States Bankruptcy Court for the Northern District of Texas as Adversary Proceeding No. 23-03038-sgj:

<u>Date</u>	<u>Docket No.</u>	<u>Description</u>
Documents filed in Bankruptcy Court Adversary Proceeding No. 23-03038-sgj		
02/20/2024	25	Transcript regarding Hearing Held 02/14/2024 Before Judge Stacey G.C. Jernigan (73 pages) RE: The Highland Parties' Motion to Dismiss Complaint to (I) Compel Disclosures About the Assets of the Highland Claimant Trust and (II) Determine (A) Relative Value of Those Assets, and (B) Nature of Plaintiffs' Interest in the Claimant Trust

III. Items from the Docket in District Court Case No. 3:23-cv-2017-E

Appellee designates the following additional items from the docket in the above-referenced appeal filed in the United States District Court for the Northern District of Texas as Case No. 3:23-cv-2071-E:

<u>Date</u>	<u>Docket No.</u>	<u>Description</u>
Documents filed in District Court Appeal 3:23-cv-2071-E		
09/15/2023	1	Hunter Mountain Investment Trust's Amended Notice of Appeal
01/22/2024	29	Appellant's BRIEF by Hunter Mountain Investment Trust
01/22/2024	30	Appendix in Support filed by Hunter Mountain Investment Trust re 29 Appellant's BRIEF <i>Part 1 of Appendix</i> (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s), # 6 Exhibit(s), # 7 Exhibit(s), # 8 Exhibit(s),

<u>Date</u>	<u>Docket No.</u>	<u>Description</u>
		# 9 Exhibit(s), # 10 Exhibit(s), # 11 Exhibit(s), # 12 Exhibit(s), # 13 Exhibit(s))
01/22/2024	31	Appendix in Support filed by Hunter Mountain Investment Trust re 29 Brief/Memorandum in Support of Motion <i>Supplemental Appendix - Beginning at ROA.003368</i> (Attachments: # 1 Exhibit(s), # 2 Exhibit(s), # 3 Exhibit(s), # 4 Exhibit(s), # 5 Exhibit(s), # 6 Exhibit(s), # 7 Exhibit(s), # 8 Exhibit(s), # 9 Exhibit(s), # 10 Exhibit(s), # 11 Exhibit(s), # 12 Exhibit(s), # 13 Exhibit(s), # 14 Exhibit(s), # 15 Exhibit(s), # 16 Exhibit(s), # 17 Exhibit(s), # 18 Exhibit(s), # 19 Exhibit(s), # 20 Exhibit(s), # 21 Exhibit(s), # 22 Exhibit(s), # 23 Exhibit(s), # 24 Exhibit(s), # 25 Exhibit(s), # 26 Exhibit(s), # 27 Exhibit(s), # 28 Exhibit(s), # 29 Exhibit(s), # 30 Exhibit(s), # 31 Exhibit(s), # 32 Exhibit(s), # 33 Exhibit(s), # 34 Exhibit(s))
03/06/2024	34	Appellee's BRIEF by Farallon Capital Management LLC, Jessup Holdings LLC, Muck Holdings LLC, Stonehill Capital Management LLC.
03/06/2024	35	Appellee's BRIEF by Highland Capital Management LP, Highland Claimant Trust, James P. Seery, Jr.
04/03/2024	38	Appellant's REPLY BRIEF by Hunter Mountain Investment Trust.
06/10/2024	39	NOTICE of Supplemental Authority filed by Farallon Capital Management LLC, Highland Capital Management LP, Highland Claimant Trust, Jessup Holdings LLC, Muck Holdings LLC, James P. Seery, Jr, Stonehill Capital Management LLC
06/11/2024	40	ADDITIONAL ATTACHMENTS to 39 NOTICE of Supplemental Authority, by Appellees Farallon Capital Management LLC, Highland Capital Management LP, Highland Claimant Trust, Jessup Holdings LLC, Muck Holdings LLC, James P. Seery, Jr, Stonehill Capital Management LLC

Dated: August 5, 2024

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No.143717)
John A. Morris (NY Bar No. 2405397)
Robert J. Feinstein (NY Bar No. 1767805)
Gregory V. Demo (NY Bar 5371992)
Hayley R. Winograd (NY Bar No. 5612569)
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
Telephone: (310) 277-6910
Facsimile: (310) 201-0760
E-mail: jpomerantz@pszjlaw.com
jmorris@pszjlaw.com
rfeinstein@pszjlaw.com
gdemo@pszjlaw.com
hwinograd@pszjlaw.com

-and-

HAYWARD PLLC

/s/ Zachery Z. Annable
Melissa S. Hayward
Texas Bar No. 24044908
MHayward@HaywardFirm.com
Zachery Z. Annable
Texas Bar No. 24053075
ZAnnable@HaywardFirm.com
10501 N. Central Expy, Ste. 106
Dallas, Texas 75231
Tel: (972) 755-7100
Fax: (972) 755-7110

Counsel for Highland Capital Management, L.P.